



northern
beaches
council

Property Steering Committee Terms of Reference

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Introduction

The Northern Beaches Council Property Steering Committee (the Committee) has been established to oversee governance and implementation of the Property Management Framework (the Framework). More specifically, the Committee will review and approve the annual Property Action Plan and ensure the items outlined in the Property Action Plan are implemented.

1. Committee Objectives

The objective of the Committee is to review and approve the annual Property Action Plan put forward for its consideration and to provide recommendations on other key property matters put forward to the committee for its consideration. If approved, the committee recommends the annual Property Action Plan to Council for adoption.

The Committee will then oversee the implementation of the approved Property Action Plan. The Plan will include an annual needs assessment outlining and prioritising Council's property portfolio requirements. As outlined in the Property Management Framework, these requirements can be addressed through acquisition of new assets or repurposing of existing Council owned or managed assets. Assets that are surplus to requirement or that no longer meet the needs of the community in their current form will also be identified for potential divestment or repurposing.

Final authorisation for the investment and / or divestment of any property will be determined by Council resolution.

2. Authority

The Property Steering Committee is convened in accordance with the Northern Beaches Council Committee Framework adopted in February 2022 as a Joint Stakeholder Committee (Council). The Committee has no executive powers and must at all times recognise that primary responsibility for management of Council rests with the Council and the Chief Executive Officer, in accordance with the Act.

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- (a) obtain any information it needs from any employee or external party (subject to their legal obligations to protect information);
- (b) discuss any matters with the Chief Executive Officer, Executive Manager, other external parties (subject to confidentiality considerations);
- (c) request the attendance of any employee at Committee meetings; and
- (d) liaise with the Chief Executive Officer to obtain external legal or other professional advice considered necessary to meet its responsibilities.

3. Composition and Tenure

3.1 Members (voting)

Voting Membership of the Committee is set out in the Property Management Framework and includes:

- The Mayor
- Two nominated Councillors
- Chair of the Audit Risk and Improvement Committee
- An independent property specialist

(a) Councillor Members:

The two Councillor members of the Committee will be appointed by resolution of the Council, for the remainder of their elected term. The Council may also resolve to appoint alternative Councillor members to the Committee to attend meetings in the absence of one or more of the three Councillor members. The alternative Councillor members will have the same voting rights as the Councillor member being replaced. New Councillor members of the committee are to be appointed following Council election by resolution of the Council.

(b) Independent property specialist member

Appointments will be made in accordance with Council's Community Committee Framework and Appointment of Community and Stakeholder Representatives Policy. An Expression of Interest process will be conducted to appoint the Independent Property Specialist to sit on the Committee. The independent property specialist member will be appointed for a term of up to two years, after which they will be eligible for extension or re-appointment for one additional term following a formal review of their performance by Council.

Due consideration will be given to ensuring the continuity of independent membership as part of this process. The independent external members can also be removed by resolution of Council.

(c) Chair:

The Mayor will act as committee Chair.

(d) Vacancy:

In the case of resignation from the Committee, another independent member is to be appointed as soon as is practicably possible.

3.2 Attendees (non-voting)

Non-Voting Membership includes:

- CEO
- Director, Corporate and Legal
- Director, Transport and Assets
- Executive Manager, Property
- Manager, Property Commercial and Tourist Assets

As the committee will frequently be dealing with commercially sensitive matters, attendance will generally be restricted to members of the committee. However, Councillors not appointed to the Committee may attend as observers and Council Staff may be required to attend meetings from time to time and may be invited by the Committee Chair or Chief Executive Officer, to address any Agenda item.

4. Role and Responsibilities

The Committee will review and approve the annual Property Action Plan and ensure the items outlined in the Property Action Plan are implemented. The Committee will also provide recommendations on other key property matters put forward to the Committee for its consideration.

Members of the Committee are expected to:

- (a) Understand the relevant legislative and regulatory requirements
- (b) Contribute the time needed to study and understand the papers involved and attend meetings as required
- (c) Apply analytical skills, objectivity and good judgement
- (d) Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry
- (e) Meet the requirements as set out by this Charter; and
- (f) Abide by Council's Code of Conduct in performance of their duties on the Committee.

Committee meetings are to be held at a minimum twice a year. Meetings are likely to be for a duration of 4 hours, incorporating a bus tour of properties to be considered from the Property Action Plan where required.

The responsibilities of the Committee may be revised or expanded by Council from time to time. The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time, an individual Committee member may request a meeting with the Chair of the Committee.

5 Administrative Arrangements

5.1 Meetings of the Committee

The Committee shall meet at least two times per year.

The need for any additional meetings will be directed by the Chair, although the other Committee members may make requests to the Chair for additional meetings.

Where priorities change between meetings or new urgent issues arise, and where it is not possible to schedule an additional meeting, the Committee will be kept fully informed of all changes via email.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Charter.

5.2 Attendance at meetings and Quorums

A quorum will consist of a majority of voting Committee members. Meetings will ordinarily be held in person but can be by telephone or by video conference.

5.3 Administrative Support

Council will provide secretariat support to the Committee. The Secretariat will ensure the Agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure Minutes of the meetings are prepared and maintained.

Draft minutes of Committee meetings shall be circulated to each member within two weeks of the meeting being held for review with Minutes confirmed at the following Committee Meeting.

5.4 Conflicts of Interest

Council staff and members of the Committee will comply with the Northern Beaches Council Code of Conduct and the Local Government Act in relation to confidentiality, privacy and reporting as part of carrying out their functions as council officials. It is the personal responsibility of each council official to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must complete an annual written declaration of conflicts of interest as well as declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or attendees at Committee meetings are deemed by the Committee to have a real or perceived conflict of interest, it may be appropriate that they be excluded from deliberations on the issue where the conflict of interest may exist.

5.5 Decision Making

The Committee is expected to make decisions by consensus however, if voting becomes necessary, then the details of the vote are to be recorded in the minutes.

Each member of the Committee shall be entitled to one vote only. In the case of an equality of votes on any issue the Chair shall have the casting vote.

Between meetings the Chair may circulate specific time-sensitive proposals by e-mail to members for adoption by the Committee. Members shall be given a set time – no less than 5 (five) days – in which to reply to indicate their agreement with a particular proposal. A member's failure to respond within the timeframe given shall be taken as a vote against the proposal. Any decision taken by the Committee by email is to be noted and minuted at the commencement of the next meeting.

5.6 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

5.7 Assessment Arrangements

The Chair of the Committee shall initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

5.8 Charter Review

The Committee will review its Charter annually to confirm it remains current, relevant and accurately reflects the Committee's composition, role and responsibilities. The Committee will approve any changes to the Charter and refer the Charter to Council for adoption.

6 Document Control

Version	Date	Endorsed By	Summary of Changes	Author
1.0				